



Utah Lake Commission Governing Board

Thursday, February 25, 2011, 7:30 A.M.

Historic Utah County Courthouse, Ballroom, Suite 319

51 South University Avenue, Provo, Utah

ATTENDEES:

Chair and Commissioner Larry Ellertson, Utah
County
Chris Finlinson, Central Utah Water
Conservancy District
Mr. John Hendrickson, Eagle Mountain City
Don Blohm, Highland City
Mayor Bert Wilson, Lehi City
Mayor John Curtis, Provo City
Councilman James Linford, Santaquin City
Councilman Cecil Tuley, Saratoga Springs City
Mayor Randy Farnworth, Vineyard Town
Michael Styler, Utah Dept. of Natural Resources
Leah Ann Lamb, Utah Dept. of Environmental
Quality

ATTENDEES:

Dick Buehler, Utah Division of Forestry, Fire, and
State Lands (FFSL)
Reed Price, Executive Director, Utah Lake
Commission

INTERESTED PARTIES / VISITORS

Robyn Pearson, DNR
Ryan Nesbitt, FFSL
Greg Beckstrom, Technical Committee Chair
Bob Trombly, Provo City
Reed Harris, June Sucker RIP
Michael Mills, JSRIP
Todd Frye, Bonneville School of Sailing
Dee Chamberlain, Saratoga Springs HOA
James O'Neal, Citizen

ABSENT:

American Fork City, Genola Town, Lindon City, Mapleton City, Orem City, Pleasant Grove City, Springville City,
Woodland Hills Town, Utah State Legislature.

1. Welcome and call to order.

Commissioner and Chairman Larry Ellertson called the meeting to order at 7:34 a.m. He welcomed the
members of the Governing Board, state and city leaders, and public visitors.

2. Review and approve the Utah Lake Governing Board minutes from the meeting of January 27, 2011.

Commissioner Ellertson asked for discussion, additions, comments, or corrections of the minutes for the
meeting held January 27, 2011. It was motioned by Mayor Bert Wilson to approve the minutes of January 27,
2011; and seconded by Mayor John Curtis. The motion carried and it was unanimously approved.

1 **3. Review and approve the monthly financial report of the Commission.**

2 Mr. Reed Price, Executive Director, reported on the January monthly financial report:

3 ***January:*** The financial report for the month ending January 31, 2011, shows 41.7 percent of the fiscal year
4 remaining. The Zions checking account balance was \$1,475.87; the money market account balance was
5 \$219,150.72; and the Public Treasurers Investment Fund balance was \$57,413.13. The money market account
6 balance received a rate of return at .85 percent, and the PTIF received a return of 0.49 percent. There were
7 two transfers to checking for \$6,500 on January 12, and \$8,750 on January 26, 2011. Interest earned in
8 January was \$185.39, bringing year-to-date interest earned to \$1,447.49. The expenses for the month are
9 listed in the middle totaling \$14,385.55. There were no out of the ordinary expenses for January. The General
10 Fund Budget Report is listed at the bottom, showing the account balances and percents remaining in each of
11 the budget accounts. An overall General Fund balance shows 52 percent of the budget remaining.

12 Mayor Wilson moved the financial report for January 2011 be approved as presented; it was seconded by
13 Mayor Curtis. The motion carried and voting was unanimous.

14
15 **4. Report from the Technical Committee.**

16 Technical Committee Chairman Greg Beckstrom gave the report of the Technical Committee:

17 The primary focus of the Technical Committee during January had been discussion and evaluation of the
18 bridge proposed across Utah Lake. (The summary document was the main subject of discussion for the
19 Governing Board meeting.) In summary, the Technical Committee came to the preliminary conclusion and
20 understanding that many of the more significant issues associated with the project are broader public policy
21 questions having a direct relationship to Utah Lake. He stated, the Technical Committee wanted to know
22 what the best way was to address the public policy questions and what role the Technical Committee and
23 Utah Lake Commission should have in the process.

24
25 **5. Report from the Executive Director.**

26 Mr. Price itemized the projects and activities of the Utah Lake Commission.

27 ***Phragmites:*** In the January Governing Board meeting, the Land Tamer was jointly purchased with Utah
28 Lake Commission and the Central Utah Water Conservancy District. The purchase of the vehicle was to
29 facilitate phragmites removal along the shorelines. It was delivered to the Utah County Public Works at the
30 beginning of February. The County has been out using the new vehicle and is pleased with the capabilities;
31 however, the first week they discovered its limitations. The tire valve stems on the outside of the rims broke
32 off when it went through the ice. The county has welded O-ring covers over the valve stems and resolved the
33 issue. Modifications were made to screen the phragmites dust that gets pulled into the air takes as well as the
34 air compressor mount. The modifications will allow the phragmites dust to blow off. The staff was elated to
35 have the Land Tamer and was confident it will help in their efforts to eradicate phragmites along the shoreline.

36 ***Ice Flow:*** Mr. Price received several phone calls from people coming south from the Salt Lake area. They
37 questioned the large fields and wondered what was out on the lake. Great winds came through the valley and
38 pushed the ice from Saratoga Springs on the west side to the east side. The ice rolled on top of itself and
39 created many piles of large ice walls on the shoreline of Utah Lake, which was an unusual sight and with open
40 water on the west side and on the east side, the ice looking like a raised crystal palace. Mr. Dick Buehler said
41 Bird Island and every peninsula had ice on it. The ice buildup is common on Utah Lake.

42 Mayor John Curtis's blog reported a fisherman out on the Provo Airport dike was fishing through a hole,
43 saw the water moving beneath him, and he thought the water was moving, but he was being blown to the
44 shoreline. When he realized what was occurring, he hurried to get to the truck, but the truck was damaged by
45 the ice piling up.

46 ***Model Ordinance:*** In January, the Utah Lake Commission Governing Board completed the process of
47 endorsing the model ordinance, one of the objectives of the Utah Lake Master Plan. Since the Governing

1 Board meeting, Mr. Price has heard from several cities that are beginning to review the ordinance. He has
2 meetings scheduled to discuss the model ordinance with American Fork at the beginning of March, and
3 Springville is scheduled for April. Orem has requested information and he has forwarded it to them. The
4 Provo Planning Committee has been charged to begin work on implementing the ordinance. He reminded
5 Board members the resolution states the shoreline municipalities should begin looking at implementing the
6 model ordinance by July 1, 2011.

7 **Fourth Grade Curriculum:** Carin Green, Executive Assistant, is working with DWR to schedule Field Trips in
8 conjunction with the Fourth Grade Curriculum. Responses from teachers are beginning to come in, with the
9 deadline being March 25. The field trips will be beneficial to students and the Commission.

10
11 **6. Discuss and consider the history and role of the Commission in the Utah Lake bridge proposal review**
12 **process.**

13 Commissioner Ellertson noted the Governing Board would discuss the Utah Lake Commission's role
14 pertaining to the issues surrounding the Utah Lake bridge proposal process. He asked Mr. Price to introduce
15 the topic.

16 Mr. Price said over the past 1.5 years, the Governing Board was aware of the review process concerning
17 the bridge proposal and waited to see what direction FFSL would take. After the issues were studied, the
18 Governing Board believed they needed to take a more proactive role in assisting the state by making
19 recommendations on the issues outside of FFSL's primary focus.

20 After working with the Technical Committee, Mr. Price drafted a summary document explaining the
21 Technical Committee's four-month-long discussion of a generic bridge-crossing. He noted on page 12,
22 additional issues were raised needing to be addressed.

23 He reviewed the 14-page document summarizing the past roles of the Commission and the Technical
24 Committee. The discussion involved the purpose of the Commission as defined in the Interlocal Agreement
25 and the purposes of the Utah Lake Master Plan, the reasoning for its creation, with the policies and goals
26 relating specifically to transportation:

27 **Transportation Policy 1** – The Commission will consider transportation projects based on whether or not
28 they are consistent with the goals and objectives of the Master Plan.

29 **Transportation Policy 2** – The Commission will be a proactive participant to monitor and influence
30 transportation planning efforts that may affect Utah Lake, its shorelines, or access to the lake.
31 Two transportation goals are identified in the plan with goal two being identified as a high priority in the Utah
32 Lake Commission Master Plan.

33 **Transportation Goal 2 – Transportation Planning**

34 The Utah Lake Commission has a significant role in transportation system planning; resulting in solutions that
35 are consistent with the Utah Lake Master Plan, while accommodating population growth and demographic
36 changes in the area.

37 **Transportation Goal 3 – Multi-objective Road System**

38 Transportation corridors to and around the shore serve multiple functions; including access to lake destination
39 points and scenic byways, along with commuting and mass transit, which are consistent with the Utah Lake
40 Master Plan. This goal identifies lake transportation corridors and simply states

41 **Goal, 3.2 – Transportation**, states, "Utah Lake Commission will consider studies to determine the need for
42 feasibility of a cross-lake transportation corridor."

43 A brief summary of the goals, objectives, and policies from the Utah Lake Master Plan were presented.
44 The actual plan does not take a stand on whether or not a bridge was needed. It was discussed during the
45 creation of the Master Plan, but not included as an objective. The proposed goal and idea was brought up
46 during the Master Plan public commenting period as well as discussions of the Governing Board. It was felt a
47 future bridge would be addressed if it were brought up.

1 In 2008, Representative Ken Sumsion approached the Commission seeking support for funding from the
2 state legislature to conduct an environmental impact statement (EIS) on Utah Lake to determine the feasibility
3 and need for a crossing of Utah Lake. After much discussion, the Board adopted a resolution supporting
4 funding for studies of environmental and transportation issues affecting Utah Lake. It was a broad stand
5 saying the Governing Board supported funding if it would help in discovery of new information as well as
6 identifying and addressing the needs of Utah Lake.

7 The resolution went to the state legislature and \$3 million in funding was appropriated to conduct an EIS.
8 The money was given to UDOT, who had selected a consultant to conduct the EIS. However, funding was
9 pulled due to budget concerns in 2008. The budgets cuts were prior to the Master Plan adoption. Budget cuts
10 were throughout all state departments and this funding was cut, so the EIS study was not conducted. It was
11 believed no studies would be conducted until the economy turned around and the funding was re-
12 implemented. The Master Plan process continued, which was adopted in June 2009.

13 A private developer, Mr. Leon Harward had previous discussions about building a causeway across Utah
14 Lake. He then modified his plans to construct a bridge connecting the east and west sides. The bridge
15 nomination was received by FFSL, which manages the Utah Lake bed, from Mr. Harward in August 2009. The
16 proposal was a surprise and a review process began to determine the best use of the sovereign lands.

17 The project proponent of Utah Crossing, Inc. presented the project to the Utah Lake Commission Technical
18 Committee on August 24, 2009. Mr. Harward was confident the U.S. Army Corp of Engineers would determine
19 that they would not have jurisdiction. In October 2009, the US Army Corp of Engineers issued a no-permit
20 required letter on the basis that no wetlands were affected and no fill would be used during the project, so
21 the proponent did not need to conduct an EIS.

22 FFSL had the burden to conduct a review process defined by statute to approve use of sovereign lands.
23 There were challenges because FFSL had never done a review process on a project of this size. It has
24 presented some challenges to FFSL. In September, 2009, FFSL explained the Review Process to the Utah Lake
25 Technical Committee. Upon request of FFSL, Utah Lake Commission sponsored a public hearing in October,
26 2009. About 150 people attended with 28 citizens addressing the Governing Board, 13 expressing support or
27 indifference, 15 against the bridge with six written comments, which were summarized and forwarded to
28 FFSL. Another public meeting with 50 in attendance was held at Saratoga Springs Saratoga Shores Elementary
29 in November 2009. FFSL created a website for public comments with 125 comments posted consisting of 95
30 against, 25 in support, and five with no stated position.

31 In early 2010, FFSL decided to conduct a competitive lease process to see if others had competing bids or
32 uses for the same sovereign land, which they felt was in the best interest of the state. They received an
33 application for construction of a bridge from Utah Crossing, Inc., and one from the Sierra Club and others
34 stating to leave the lake in its natural state. After much study, FFSL announced they accepted the application
35 of Utah Crossing, Inc., for formal consideration. Their acceptance did not mean approval but continued review
36 of the particular bridge proposal. The other application was rejected, because it was incomplete. It was noted
37 that if the decision were to deny construction of the bridge, the outcome would be to do nothing. FFSL has
38 formed a Resource Specialist Review Team (RSRT or ID Team) to conduct a full assessment of the feasibility
39 issues, impacts to the land and the lake. A public commenting period from November 2010 to January 2011
40 was held. After discussion with the applicant, FFSL posted the application and another 45-day commenting
41 period began with the additional information from the applicant available to the public.

42 The Technical Committee discussions were held over four different meetings going from February through
43 June 2010. The members of the Committee looked at a general/generic crossing over Utah Lake, regardless of
44 location, and the effects such a crossing would have on Utah Lake. The project proponent took the Technical
45 Committee minutes and, in the proponent's opinion, addressed many of the stated issues in the
46 environmental assessment that was submitted to FFSL with the application.

1 FFSL has limited authority in deciding what happens beyond the sovereign lands. They are concerned with
2 the bridge structure on sovereign land boundaries, and they want it to tie in with the community's plans, but
3 they are not the agency who makes public policy decisions. There is no well-defined agency to address the
4 bridge project and public policy issues to be considered such as planning, toll roads, maintenance, finance, and
5 environment. The Division is working on addressing these issues.

6 Mr. Price stated Mr. Beckstrom has been intimately involved with Technical Committee and would explain
7 and clarify the Technical Committee role in the discussion.

8 Mr. Beckstrom said the private bridge project presents a unique situation, because most projects of this
9 magnitude are publicly-funded or there are clear environmental impacts, which create a nexus to trigger the
10 NEPA process. The bridge is intended to be a privately-financed, privately-owned project and they have
11 identified an alignment perceived to have the least impacts on the lake. Only the Corps of Engineers can
12 determine if there was a nexus and require a NEPA process. Many environmental advocates believe the things
13 the Commission is wrestling with would be addressed in the NEPA process. Another view is the advocates of a
14 bridge believe this is an opportunity for the state and its citizens to have a privately-funded project of this size
15 without going through the NEPA process, saving time and the taxpayers' money.

16 The struggle is trying to find a process and mechanism somewhere between a full blown NEPA EIS process
17 or doing almost nothing to address environmental and other related questions associated with the process. In
18 summary, the Technical Committee concluded three general sets of issues:

19 1. The first is specific impacts that are environmental in nature. Those issues have not necessarily been
20 fully answered and addressed, but the FFSL process, along with inputs from various resource agencies,
21 appears capable of addressing these issues adequately to address the questions before the project might be
22 approved.

23 2. The second set of issues includes geotechnical, earthquake-related concerns, and structural stability.
24 Other concerns are the financial guarantees for a privately-financed and constructed bridge. Worry exists of a
25 partially constructed bridge across the lake that may become an eyesore and of no benefit. UDOT or another
26 entity would address the geotechnical earthquakes or structurally-related items. The financial concerns are to
27 find appropriate bonding to guarantee and ensure the bridge will be built. Other financial questions needing
28 answered are adequate measures to ensure operation and maintenance to UDOT standards.

29 3. The third set of issues is those not related to sovereign lands, but rather public policy questions. These
30 fall into two categories:

31 a. The first category relates to planning issues, such as alignment, timing, etc. FFSL's process does not
32 accommodate an alternative alignment consideration of the proposal because it is limited to a specific
33 location. The FFSL review process does not include comparing the specific alignment to other possible
34 alignments. The preferred alignment issue is a public policy question for the communities around the
35 shoreline of Utah Lake who have transportation interests associated with Utah County.

36 b. The second category of questions relates to impacts on Utah Lake. From an environmental impact
37 standpoint, neutral impact is really the best that can hoped for as the bridge will not benefit Utah Lake. Some
38 ancillary benefits may be trail access, exposure to the lake, bike trails, etc. Some financial benefits may be
39 revenues to benefit other Utah Lake projects. The bridge is primarily a transportation project benefiting the
40 transportation system of Utah County and the communities at the endpoints on both sides of the lake. The
41 Technical Committee wants to assure impacts on the lake itself are minimized or mitigated and to be able to
42 say that the project has had no substantial environmental impacts on Utah Lake. Pertaining to timing, MAG
43 indicated a bridge is not a priority for Utah County over the next two to three decades. The question is what
44 agency answers the question of timing, because it is not part of FFSL's process.

45 The planning-related questions of a public policy nature need to be answered. Additional public policy
46 issues relate to the private ownership and toll nature of the proposal. There is no private road serving the
47 traffic volumes and transportation network in this key manner anywhere in Utah or surrounding states.

1 Whether it is a public or private road, toll or free, does not make a difference in the sovereign lands review
2 process. The bridge may bring unanticipated consequences associated with the transportation planning policy
3 and set a precedent positively or negatively, for future construction of private or toll roads in the state of
4 Utah. It ought to be decided on the appropriate mechanism to address these public policies, in terms of
5 setting design standards, operation, and maintenance requirements, emergency response, the issue of a toll
6 road, or revenues spinoff. Most of these questions are outside of FFSL's jurisdiction. It is asked what
7 authority, be it MAG, Utah Lake Commission, Utah County, etc., should deal with this question. Should it be a
8 conditional-use permit process or should the state legislature deal with these issues secondary to coordination
9 of state departments. Consideration should be given to these questions before FFSL finalizes their process

10 Mr. Dick Buehler said FFSL's ID team would investigate every issue Mr. Beckstrom mentioned. Three
11 members are from UDOT, and is anticipating involving MAG and their vision to review the bridge proposal.
12 MAG will look beyond the bridge, while FFSL's focus is the effect on sovereign lands. FFSL is confident UDOT
13 representatives will look beyond the bridge and evaluate the toll bridge process for feasibility.

14 FFSL wants to address all issues in the process. Pertaining to the geotechnical aspect, representatives
15 from seven divisions in the Department of Natural Resources are represented. These include Utah Geological
16 Survey, who is looking at earthquakes, faults, liquefaction, and additional things; the State History looking at
17 historical information; and a well-known and respected financial analyst is looking at the financial side. FFSL is
18 trying to anticipate items mentioned for independent evaluation from experts and their different disciplines to
19 help FFSL make a decision. Outside the sovereign lands boundary, the project can't affect the bed of Utah
20 Lake without affecting everything else around Utah Lake.

21 Mr. Mike Styler commented there is a bill at the state legislature to help in the process. The bill involves
22 the Division of Natural Resources and UDOT. If approved, it would turn some of the responsibility of
23 permitting any transportation structure over sovereign lake beds from FFSL to UDOT. It is a bill the Division is
24 in favor of and in agreement. Ms. Chris Finlinson said she asked the sponsor, Representative Ken Sumsion
25 about the bill. He indicated he would like to share responsibilities involving UDOT in the review process. She
26 and Mr. Styler believed the bill was a wise move. Mr. Styler said it was late in the session but hoped it would
27 still become public and pass the legislature. Commissioner Ellertson said he had a conversation with
28 Representative Sumsion one week prior and felt with the time tables for making a decision, Mr. Sumsion was
29 moving too fast. Mr. Styler said a timetable was not involved. The bill was in the Transportation Commission
30 who must approve the structure, the engineering, the geotechnical, the financing -- all that must be approved
31 before FFSL could approve the lease. The way the bill presently reads, it does not affect the time frame. Mr.
32 Buehler said they were concerned with the original proposal, but things were worked out and UDOT and DNR
33 both support it.

34 Mr. Jim Linford asked if UDOT were utilized if it would mean involving MAG. Mr. Styler said yes, for any a
35 regional transportation authority is needed for any project needing. Mr. Linford wanted clarification asking if
36 it was MAG or some other authority. Mr. Buehler said MAG, but just addressing crossings over sovereign
37 lands such as Utah Lake, Bear Lake, or other lakes of Utah.

38 Commissioner Ellertson said the Commission was reluctant to take a stand because they did not want to
39 interfere with the established state process. After continued discussion, one of the Master Plan goals says,
40 "the Commission will have an early and significant role in addressing issues associated with transportation of
41 the lake." The main idea for the Commission was communication with local governments, Utah County Public
42 Works, UDOT Regional Management, MAG, and others. He said the Commission now feels an obligation,
43 based on the Master Plan, to be and stay involved to make sure issues are addressed. As the process
44 continues, it seems the project proponent should address all items and important impacts raised by the
45 Technical Committee.

46 Commissioner Ellertson said from discussions, the county has a role in relationship to a conditional-use
47 permit. He noted Utah County has not even been involved, but Vineyard Town on the east, Saratoga Springs

1 on the West, with the state in the middle. From a permitting process, Utah County is not involved with any
2 jurisdictions, although the county has a large amount of unincorporated county including the lake bed. He
3 asked how the Commission should proceed now and in the future. He proposed summarizing the information
4 in a document stating issues or concerns that should be addressed and the answers found. The Commission's
5 role should be taking a lead with the representatives of the jurisdictions surrounding the lake. The process
6 and the proposed legislation strengthen the process already in place. The Commission should encourage MAG
7 and other entities to become involved in the process.

8 Mr. Linford said the bill sounded good, but a concern he had was the Commission was a non-political
9 organization but the Commission was creating "a lot of politics." The Commission should maintain neutrality
10 focusing on what is legal and not overstretch the Commission's bounds, abiding by the real purpose and not
11 overstepping the bounds by becoming political.

12 Mayor Curtis said he was unsure of the Commission being a nonpolitical body. He asked if being
13 nonpolitical was part of the bylaws. He said the bridge is the most important issue to impact Utah Lake since
14 the Commission was put together. For the Commission to sit on its hands, watching the bridge process go by
15 would be a big mistake. He was pleased with the discussion concerning the process and with the state bill. He
16 felt if the Commission doesn't aggressively pursue a process, whether the bridge is positive or negative, may
17 be a mistake because the current bridge proposal is not the last proposal to come along. The Commission
18 should aggressively support the process. Although not enough is known about the proposed legislation, there
19 is a small window to get behind the legislation. The Commission needs to make a quick decision about
20 whether or not to get behind the legislation, send the message to Capitol Hill because the Commission should
21 have a substantial influence on whether it goes forward. Mr. Linford concurred saying UDOT ought to be the
22 first in the process, and the proposed bill was in the right order.

23 Mr. Buehler said whether the proposed bill passed or not, there was a process in place, with three
24 members of UDOT on the review committee. With the lack of a NEPA process, FFSL found the best thing the
25 state of Utah could do was to include the Governor's office of planning and budget, state entities including
26 DEQ, UDOT, state history, and the financial side. FFSL wants to make the best decision for the lake and for the
27 citizens of the state of Utah. On the legal side, two assistant attorney generals were represented to cover the
28 legal aspects. A process is being followed that will work. FFSL believes involving UDOT would take pressure
29 off of FFSL. But, the state expects FFSL to do the best job they can in evaluating every aspect of the whole
30 process, with or without the bill.

31 Ms. Finlinson said the very existence of the Commission being put together was to protect and advocate
32 everything good for Utah Lake with the lake's importance being recognized. The Commission doesn't have
33 any broad reaching authority, but has an advisory role of everything regarding the lake. The bridge has a
34 potential impact in many ways -- aesthetic beauty, assay issues, practical uses, and many things. The
35 Commission doesn't have police authority, can't issue permits, or prohibit it, but can make recommendations
36 and it was the Commission's responsibility.

37 Mr. Buehler said FFSL was trying to do a site-specific plan for the bridge. After the site specific plan is out,
38 the Commission has something to look at and comment on. Mr. Styler said the proposed alignment is known,
39 and disagreement of the alignment should be made before the whole process is completed. He said the
40 Commission should look at policy issues to be addressed, whether it go to UDOT or FFSL. The Commission is a
41 political body and the bridge is a political issue. There are many questions about the alignment, timing
42 whether present or in the future, impacts of profitable or if it is even viable.

43 Commissioner Ellertson summarized the discussion, asked for conclusions and decisions. The Technical
44 Committee outlined issues that should be considered. The Commission should determine whether or not it is
45 on board with the concept of putting the findings out to the entities rather than assuming everyone knows. A
46 decision should be made to become actively involved and engage other entities as well in the decision-making

1 process rather just sitting on the sidelines. The Commission's role may be that of encouraging other entities
2 saying they need to be stepping in where they have an interest and take responsibility to do something.

3 Mr. Buehler said one thing the Commission can do, which is not involved in the current management plan,
4 is to amend the plan to address cross lake crossings. At present, the Commission is dealing with one specific
5 application but many more may come. If the Commission wants to evaluate the timing and location of the
6 crossing, then the Commission should amend the plan.

7 Mr. John Hendrickson of Eagle Mountain said in MAG's vision plan, they speak of several crossings over
8 the lake and at different locations. They identify where it has the greatest impacts to reduce traffic along the
9 I-15 corridor. It is not necessarily a political process, but is one the Utah Lake Commission should address
10 including MAG taking consideration of our issues. Commissioner Ellertson said when he spoke with MAG
11 specifically about the bridge MAG understood there were unanswered questions. In their concept, this or any
12 bridge was in the vision plan and not in the first three phases of planning; any crossing was in the vision plan.
13 With no word from MAG, the interpretation is they support the present bridge proposal because they have
14 not come out against it.

15 According to the stated objective, Commissioner Ellertson asked once the process was identified, if the
16 Commission should be involved to make sure raised concerns are answered. After becoming involved, the
17 Commission needs to encourage others to do something. Mr. Linford said he felt it would be appropriate to
18 become involved because of the legitimate questions raised. Mayor Curtis asked if it would be suitable to add
19 language to the document encouraging the state to refine the process. Mr. Styler said he and Mr. Buehler
20 would welcome input from the Utah Lake Commission. Whatever the results are, the Commission and state
21 will live with the decision for a long time. FFSL felt UDOT should be involved and possibly look at MAG's
22 alignment and transportation needs of the area. UDOT are experts from continued experience and FFSL
23 would welcome UDOT's expertise if the bill went through. Mr. Buehler commented the attorneys have
24 contacted many states and this is the first bridge of this magnitude proposed for Utah and surrounding states.

25 Mr. Beckstrom said from the potential process Mr. Buehler described, the formal involvement of UDOT
26 would address the vast majority of the questions raised and identified. He believed there were several policy
27 questions not addressed in the process.

28 The first is consideration of alternative alignments. The present alignment is presumed by FFSL to be the
29 preferred or acceptable alignment across Utah Lake, and will be evaluated within that context. If the
30 Commission has concerns with the alignment, the Board needs to be involved early on and quickly.

31 The second consideration is the timing of the bridge construction. The transportation demands of the
32 area dictate there will be a bridge of this magnitude at some point in time, but the need appears to be at least
33 two or three decades away. He asked from a transportation standpoint if the unavoidable impacts of a bridge
34 crossing should be imposed before it was needed.

35 The third issue was the privately-funded bridge now, versus the publicly funded bridge in the future. He
36 asked if the Commission wanted to weigh in on this question.

37 The fourth question is mitigation of unavoidable impacts on the lake, which may be acceptable and
38 tolerable. There could be financial spinoffs from this facility particularly, given it is going to be a private-toll
39 facility, which could generate revenues to benefit Utah Lake and balance the unavoidable impacts. He felt the
40 questions should be addressed sooner rather than later.

41 Commissioner Ellertson said the questions raised should be encompassed in the summary. Mr. Price said
42 the Technical Committee was looking for direction from the Governing Board as well and would like
43 sideboards that might allow them to focus on the issues.

44 Commissioner Ellertson said he felt the discussion was generating a tentative motion. Discussion focused
45 on the need for a statement from the Commission to move forward with its position to the concerns and
46 issues associated with the Commission's stewardship of the lake. This would be appropriate to prepare and
47 submit. We would then approach other entities stating they ought to be more involved than they have been

1 and encourage their involvement, i.e., MAG and other entities supportive of UDOT's involvement. Now is the
2 time to discuss the issues of transportation with corridors across the lake not presently addressed.

3 Commissioner Ellertson asked someone to make the motion or some another motion. Ms. Finlinson made
4 the motion phrased by the Commissioner. He called for a second to the motion.

5 Mayor Wilson wanted to state the bridge would probably be a benefit to Lehi as much or more than other
6 cities. He personally would like to see the bridge put in -- with everything being right. All future traffic the
7 bridge may carry going west, is presently going through Lehi and wiping out neighborhoods, commercial
8 zones, and everything to supply the roads to go west. Speaking for Lehi, they would like to see the bridge put
9 in, but not half done or done incorrectly.

10 Mr. Buehler asked how the motion would affect the present process. Mr. Styler said it doesn't. Mr.
11 Buehler asked if the Commission would provide information FFSL needed to analyze. Commissioner Ellertson
12 said the Commission didn't want to frustrate or interfere in any way in the present process. The proponent
13 wanted to know the information. When the information is communicated back to the applicants, there are
14 things the Commission needs and feels as if we have not received the answers from them. Mr. Buehler
15 concurred saying FFSL will send a letter back to them requesting additional information be put together by the
16 Resource Team. FFSL needs to know what the Commission wants to include in the same letter. Commissioner
17 Ellertson said the Commission wanted to support FFSL and if this helped then FFSL should use it.

18 Mr. Tuley and Mr. Don Blohm both concurred saying it was already part of the motion. Mr. Buehler said
19 he wanted it to be clear. Mr. Tuley asked if Mr. Buehler wanted information included as a clarifying point that
20 the process being followed by Forestry, Fire, and State Lands be coordinated with UDOT committee and/or by
21 supporting the tentative legislation. Commissioner Ellertson said it should be the front end of the motion.
22 "We support the process of FFSL and the involvement of UDOT and others as necessary to make a correct and
23 good choice."

24 Mr. Tuley commented from what he read the summary addressed a lot of issues. There is a lot of
25 subjective information and opinions that makes it very hard for the Commission to stand up and take any kind
26 of unified stand towards the bridge. Saratoga Springs has voted to support the bridge with the underscore it
27 be done in a manner that protects the environment appropriately and is able to benefit the lake. One of the
28 things possibly missing in the Technical Committee's survey was any reference or knowledge of the city's
29 Master Plans located on both sides of the lake. Mr. Tuley had questioned Mr. Harward for specific
30 information. An example the concerns raised in the document was the potential for commercial development
31 possibly impacting the lake negatively. Long before the proposed bridge, the west-side alignment region was
32 already designated as lake-front commercial development to include lake-front restaurants, etc. A comment
33 was made about the roadways being close to the lake and then not making the lake accessible because of the
34 closeness of the roadways. There are 13, state-owned locations around the lake that are potentially lake-
35 point accesses. There is tremendous opportunity to develop access to the lake for any kind of boating
36 activities or family recreation, without having to worry about displacing a great deal of existing structures and
37 without the existing costs. He suggested the Commission include as much complete information as possible.
38 Commissioner Ellertson said the essence of the motion and the action is not to take a specific position but
39 rather to get the information to address the concerns of the bridge. Mr. Tuley said he would like the
40 information gathered be more technical, less subjective, and include aspects of the developments on both
41 sides of the lake, with a better ability to determine what the affect of the bridge would be. Mr. Don Blohm
42 said, based on Mr. Price's comment, until there is a thorough evaluation, it would be appropriate the
43 Commission's position to be one of neutrality. When the process is complete, the Commission then
44 determines whether to take a position in support or against the bridge. Commissioner Ellertson said it was
45 worth the understanding and was part of the motion, if the maker of the motion and the member who
46 seconded the motion accepts it the wording, "The Commission is neutral and is trying to acquire important
47 information before a wise decision is made."

1 Mr. Beckstrom said in answering Mr. Tuley's question of the summary document. It was not a positional
2 document or recommendation but only an informational document, with no conclusions or recommendations
3 or positions of the Technical Committee as a whole. The document simply reflects issues and questions raised
4 during the course of the discussion that ought to be considered and addressed in detail. Mr. Tuley said he
5 concurred with everything in the report pertaining to terms of ideas and thoughts to be seriously considered,
6 but the findings should be more detailed and not general. Mr. Beckstrom said the process would allow for
7 more specifics.

8 The final motion was that the Utah Lake Commission Governing Board directs the Executive Director to
9 draft a resolution supporting the review process being conducted by FFSL on the current bridge proposal, and
10 that reiterates its neutral position on the issue until further information, which will be requested during the
11 review process, is received and evaluated. The statement should also summarize the concerns and issues
12 associated with the Commission's stewardship of the lake and encourage the involvement of other entities,
13 including MAG and local communities, to be involved in the review process. Finally, the Commission should
14 consider how or whether the Master Plan should be amended to include specific language to support or
15 oppose a lake crossing.

16 Commissioner Ellertson called for a vote on the motion. It was unanimously passed with no one opposing.

17 Ms. Finlinson made another motion stating "In the event a bill emerges adding review by the Utah
18 Department of Transportation along with FFSL in the state legislative session, the Commission be put on
19 record as supporting the bill." It was seconded by Mayor John Curtis. The motion unanimously passed.

20 Mr. Price asked if he should contact Representative Sumsion and state there is a motion from the
21 Commission supportive of his potential bill. Ms. Finlinson said when the language is made available, then to
22 contact him. At that time, other legislators should also be notified. Mr. Price will stay in contact with Ms.
23 Finlinson about this issue. Mr. Styler said FFSL, UDOT and the Commission is supportive of the bill.
24 Commissioner Ellertson asked if there was a legislation number and Ms. Finlinson said it was Boxcar 137. Mr.
25 Styler said it was still a draft bill, as Mr. Sumsion needed to prepare and go through the language before it is
26 an official bill.

27
28 **7. Other Business or Public Comments.**

29 Commissioner Ellertson asked if there were other business and/or public comments. Mr. Stephen Densley
30 of the Utah Valley Chamber of Commerce said from the chamber perspective two questions need to be
31 answered. First, he asked if there was enough water to continue development on the west side of the lake.
32 Second, he asked what the final date was for the proponents before they withdrew their support for a bridge
33 by the private sector. Mr. Randy Farnworth said CUP is in the process of getting a water line out to Saratoga
34 Springs and Eagle Mountain, and both cities have contracted for water. Mr. Densley asked how much
35 additional growth it would support. Mr. John Hendrickson of Eagle Mountain said an estimate was from 1-
36 200,000 and Eagle Mountain has contracted for enough water for growth of 180,000 people.

37 Mr. Densley said the other question was funding of the bridge or if the proponents may walk away and
38 they build the bridge elsewhere. Commissioner Ellertson said no one had seen any certificate that money was
39 being deposited in any specific account. Mr. Buehler said funding was a question the financial expert was
40 going to ask. He said FFSL was being pressured from the proponent for permission so he could get the
41 funding, but FFSL wouldn't give him permission until the evaluation was completed. Commissioner Ellertson
42 expounded, "It is a chicken and egg question almost. Mr. Harward is saying he needs approval before he gets
43 the funding and FFSL and others are saying, he needs funding before approval." Mr. Price said he heard if it
44 were a good idea today, it would be a good idea ten years from now. Someone needs to state if it is a good
45 idea or not. Ms. Finlinson said one of the great things of having UDOT involved was as they are experts at
46 requiring bonding for projects, estimating project costs, and everything involved.

1 Mr. Cecil Tuley said he raised the question of funding with the developer and how it would be affected.
2 He said concerning Saratoga Springs, the area close to the lake had been Master Planned by the city. Recently
3 the city approved a testing plant with a large development of 735 acres. But, the development may not get
4 off the ground until more development to the north takes place, unless the bridge comes in. He said
5 personally, he is not proposing yes or no on the bridge, but if the bridge goes in, development in the area
6 would move fast, and water then becomes an issue. Eagle Mountain and Saratoga Springs put up a \$60
7 million commitment for purchase of water out of a pipeline. When Mr. Tuley talked with Mr. Harward, the
8 proponent, who said the center part of the bridge was designed to carry various utilities and a type of water
9 line, assuming water on the east side was available. Saratoga Springs is consistently searching for additional
10 water sources for additional growth. There is water available right now for existing growth, but water will be
11 needed for development of the southern part of the boundaries if there were additional acquisitions.

12 Mr. Densley asked if the pipelines coming through Provo City are going out to Eagle Mountain or Saratoga
13 Springs or if they were all designated for the north. Ms. Finlinson said the pipeline is part of the CUP federal
14 project and is all going to the north Salt Lake area. A pipeline going west is the CWP.

15 There was no other business from the public or board. Commissioner Ellertson said Mr. Jim O'Neal had
16 wanted to speak during the public comment portion, and the Commissioner wanted to make sure he had an
17 opportunity, but it appeared Mr. O'Neal had left the meeting.

18
19 **8. Confirm the next meeting of the Governing Board to be held on March 25, 2011.**

20 Commissioner Ellertson announced the next Governing Board Meeting would be held on Thursday, March
21 25, 2011 at 7:30 a.m. at the Historic Utah County Courthouse in Provo, Utah, unless otherwise notified.

22
23 **9. Adjourn.**

24 It was motioned by Mayor Curtis to adjourn the meeting; it was seconded by Mayor Wilson. The motion
25 carried and it was unanimously approved. The meeting adjourned at 9:14 a.m.

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